

TENNESSEE STATE BOARD OF EDUCATION		
AMERICANS WITH DISABILITIES ACT (ADA), SECTION 504, AND INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)		1802
ADOPTED: July 28, 2017	REVISED:	MONITORING: Review: Annually

The State Board is committed to upholding equitable employment and educational practices, services, programs, and activities and maintaining facilities that are accessible and usable by individuals with disabilities, to the extent provided by law.

As defined by Title II of the Americans with Disabilities Act (“ADA”), no covered entity shall discriminate against a qualified individual on the basis of disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.^{i,ii}

As defined by Section 504 of the Rehabilitation Act of 1973 (“Section 504”), no qualified person with a disability shall, on the basis of a disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives federal financial assistance.^{1,iii}

School Coordination and Procedures.^{iv} Each authorized charter school shall designate at least one (1) employee to coordinate its compliance efforts and carry out responsibilities under ADA and Section 504, including investigation of any complaint communicating alleged noncompliance or any act or omission that would be prohibited by ADA and/or Section 504.

The school shall make available to interested individuals the name, office address, and telephone number of the designated employee(s).

The school shall adopt a grievance procedure and disseminate it to employees, students, and the school community.

Annually, the school shall notify the State Board by September 1 of the designated employee(s) coordinating ADA and Section 504 compliance, provide the State Board with its grievance policies and procedures, and report alleged noncompliance and grievances to the State Board within thirty (30) days of receipt.

State Board Coordination and Procedures.⁴ The Director of Schools shall designate at least one employee to coordinate efforts to comply with and fulfill obligations arising under ADA and Section 504, and monitor the school’s compliance with obligations under ADA and Section 504, including any investigation of any complaint alleging non-compliance with the Acts or alleging any actions that would be prohibited by the Acts.

ADA, Section 504, or IDEA Grievances. ADA, Section 504, or IDEA legal or other administrative actions may be filed without filing a complaint or grievance with the State Board or school. Complaints shall be directed to the following:

ADA Complaints:

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530

[Online: Complaint Form \(en Español\)](#) (Instructions for submitting attachments are on the form.)

Telephone: 1-800-514-0301 (voice); 1-800-514-0383 (TTY)
Fax: (202) 307-1197

Section 504 Complaints:

Office for Civil Rights
U.S. Department of Education
61 Forsyth St. S.W., Suite 19T10
Atlanta, GA 30303-8927

Telephone: 404-974-9406
Fax: 404-974-9471; TDD: 800-877-8339

Email: OCR.Atlanta@ed.gov

IDEA Administrative and/or Due Process Complaints:

Tennessee Department of Education
Office of General Counsel
9th Floor, Andrew Johnson Tower
710 James Robertson Parkway
Nashville, Tennessee 37243

Telephone: (615) 741-2921

Email: Bill.Wilson@tn.gov

Legal References:

ⁱ T.C.A. § 49-13-111(b)

ⁱⁱ 42 U.S.C. § 12112(a)

ⁱⁱⁱ 34 C.F.R. § 104.4(a)

^{iv} 28 C.F.R. § 35.107

Cross References:

Employee Rights 5104

Grievances and Complaints 1200